

IN THE SUPREME COURT OF THE STATE OF DELAWARE

NORMA LEE COOLING,	§
	§
Plaintiff Below,	§
Appellant,	§ No. 499, 2008
	§
v.	§ Court Below—Superior Court
	§ of the State of Delaware,
JERRY D. SMITH	§ in and for New Castle County
	§ C.A. No. 07C-08-045
Defendant Below,	§
Appellee.	§

Submitted: February 11, 2009

Decided: February 17, 2009

Before **HOLLAND, JACOBS** and **RIDGELY**, Justices.

O R D E R

This 17th day of February 2009, the Court having considered this matter on the briefs filed by the parties has determined that the final judgment of the Superior Court should be affirmed on the basis of and for the reasons assigned by the Superior Court in its decision dated August 28, 2008.

NOW, THEREFORE, IT IS HEREBY ORDERED that the judgment of the Superior Court be, and the same hereby is, AFFIRMED.

BY THE COURT:

/s/ Randy J. Holland
Justice